

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
ABERDEEN DIVISION**

**MARCUS LARAIL JONES**

**PLAINTIFF**

**V.**

**CIVIL ACTION NO. 1:14-CV-00220-SA-DAS**

**CITY OF WEST POINT, MISSISSIPPI  
NICK COE**

**DEFENDANTS**

**ORDER**

Defendants' Motion to Dismiss Plaintiff's claims based in state law with prejudice for failure to comply with the terms of the Mississippi Tort Claims Act is GRANTED in part and DENIED in part. To the extent Defendants requested the dismissal of Plaintiff's state law claims, that request is GRANTED. To the extent that Defendants requested such denial be with prejudice, that request is DENIED. Accordingly, Plaintiff's claims based in Mississippi state law are hereby DISMISSED without prejudice.

**SO ORDERED this the 8th day of September, 2015.**

/s/ Sharion Aycock  
**UNITED STATES DISTRICT JUDGE**